IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.3234 OF 2005
IN
SUIT NO.1833 OF 2000

Prithviraj Pyarelal Bhatia & ors .. Plaintiffs

vs

Govind Dhondu Shinde & ors.. Defendants

Mr.S.K.Dubey for Plaintiffs

Mr.R.D.Dave for Defendants.

CORAM : A.M.KHANWILKAR, J

DATE : 2nd April, 2007

P.C.

1. Although the plaintiffs seeks restoration of the two matters however, the defendants haverightly pointed out that order dated 14th July, 2005 pertains to Notice of Motion No.613 of 2005. In the circumstances, by way of indulgence, this motion is made absolute by setting aside the order dated 14th July, 2005 passed in Notice of Motion No.613 of 2005 only. In other words, Notice of Motion No. 613 of 2005 is restored which in turn will be decided on its own merits. This indulgence is shown on the plaintiff paying costs quantified at Rs.5000/- to the High Court Legal Services Authority. To be paid within one week from today.

2. On payment of costs the restored notice of motion be placed for hearing as per its turn under

appropriate caption as soon as it is ready in all respects.

(A.M.Khanwilkar, J)